



News Release

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Commissioner

For Release:
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**Department of Health and Senior Services
Proposes to Repeal Existing Rules and Adopt New Rules
at N.J.A.C. 8:24, the Rules Governing Retail Food Establishments and
Food and Beverage Vending Machines**

The Consumer and Environmental Health Services of the Public Health Protection and Emergency Preparedness Branch of the Department of Health and Senior Services (Department) in consultation with the Public Health Council, is proposing to repeal existing rules and adopt new rules at N.J.A.C. 8:24, which establishes requirements for food safety and sanitation in order to protect consumers from illnesses caused by foodborne pathogens and contamination of food.

The existing rules at N.J.A.C. 8:24 are based on provisions of the U.S. Department of Health and Human Services, Food and Drug Administration's (FDA) 1976 Model Food Service Sanitation Manual. The Department is proposing new rules based on the FDA's 2001 and 2005 Food Codes, which are guidance documents that contain the most updated scientific information on mitigating risk factors that are known to cause foodborne illness. The proposed new rules would incorporate many of the requirements contained in the 2001 and 2005 Food Codes and would apply to food service establishments, retail food stores, other food establishments at the retail level, and institutions.

Some of the most significant changes in the proposed new rules would include the following: limitation of bare hand contact with ready-to-eat foods, updated procedures for food workers to properly wash their hands, the "demonstration of knowledge" of food safety issues requirement for foodservice operators, the use of time as a public health control, updated cooking temperature requirements for raw foods of animal origin, the lowering of the hot holding temperatures from 140 degrees Fahrenheit to 135 degrees Fahrenheit, and the lowering of refrigeration temperatures for storing potentially hazardous foods from 45 degrees Fahrenheit to 41 degrees Fahrenheit. In addition, the proposed new rules would include requirements for labeling, safe handling instructions, use of additives, sanitization of equipment, appropriate water, plumbing, and waste systems and physical facilities, restriction of the use of toxic materials, and enforcement. The proposed new rules would further the Department's objective of maintaining the service of safe food, thereby preventing foodborne illnesses in New Jersey.

The Department will convene a public hearing on the proposed repeal of existing rules and adoption of new rules at N.J.A.C. 8:24 on Friday, March 10, 2006, from 10:00 A.M. to 12:00 P.M. in the First Floor Auditorium, Health and Agriculture Building, 369 South Warren Street (at Market Street), Trenton, NJ 08608. (This address is provided to assist interested persons in obtaining driving directions by means of computerized mapping programs; do not mail comments to this address, as it is undeliverable.) Persons planning to comment on the proposal at the public hearing who wish to be placed on the list of speakers are requested to telephone Ms. Davis at (609) 292-9382 by no later than Friday, March 3, 2006, and to bring an extra written copy of their remarks for submission to the public record.

The proposal appears in the February 6, 2006, issue of the New Jersey Register. The public has until April 7, 2006, to comment on the proposal. Persons wishing to comment on the proposal must submit their comments in writing to James A. Brownlee, M.P.H., Director, Consumer and Environmental Health Services, PO Box 369, Trenton, NJ 08625-0369. Written comments must be postmarked on or before April 7, 2006, which is the close of the 60-day public comment period.

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NOTE: Additional rule information is available on the department's web site at <http://www.state.nj.us/health/rules/other.shtml>.